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17 Attorneys for Defendants  
18 SAP AG, SAP AMERICA, INC., and  
TOMORROWNOW, INC.

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO DIVISION

22 ORACLE USA, INC., et al.,

Case No. 07-CV-1658 PJH (EDL)

23 Plaintiffs,

**PROOF OF SERVICE**

24 v.

25 SAP AG, et al.,

26 Defendants.

1 I, Shirley Nakano-McSwain, declare:

2 I am a citizen of the United States and employed in Santa Clara County, California. I am  
 3 over the age of eighteen years and not a party to the within-entitled action. My business address  
 4 is 1755 Embarcadero Road, Palo Alto, California 94303. On August 26, 2009, I served a copy of  
 5 the attached document(s):

6 **DEFENDANTS' ANSWER AND AFFIRMATIVE DEFENSES**  
 7 **TO FOURTH AMENDED COMPLAINT [DOCUMENT**  
**SUBMITTED UNDER SEAL]**

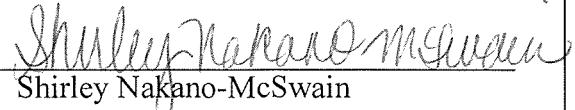
8 **DEFENDANTS' NOTICE OF MOTION AND MOTION FOR**  
 9 **PARTIAL SUMMARY JUDGMENT REGARDING**  
**PLAINTIFFS' HYPOTHETICAL LICENSE DAMAGES**  
 10 **CLAIM [DOCUMENT SUBMITTED UNDER SEAL]**

11  by placing the document(s) listed above in a sealed Federal Express envelope and  
 12 affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal  
 Express agent for delivery.

13  by transmitting via e-mail or electronic transmission the document(s) listed above  
 14 to the person(s) at the e-mail address(es) set forth below on August 26, 2009.

15 Donn P. Pickett  
 16 Geoffrey M. Howard  
 17 Holly A. House  
 18 Zachary J. Alinder  
 19 Bree Hann  
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28 Executed on August 26, 2009, at Palo Alto, California.

29 By:   
 30 Shirley Nakano-McSwain